

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Bay State Gas Company)	
)	D.T.E. 01-81
)	

**MASSACHUSETTS DIVISION OF ENERGY RESOURCES'
MOTION TO EXTEND TIME TO FILE RESPONSE TO
BAY STATE'S MOTION FOR CLARIFICATION**

On December 24, 2002 Bay State Gas Company ("Bay State") filed a Motion for Clarification concerning two elements of the Department's December 4, 2002 Order (the "Order") approving, with modifications, Bay's State petition to implement a Gas Cost Incentive Mechanism ("GCIM"). On January 3, 2003, the Hearing Officer for the Department issued a memorandum requesting parties to submit any responses to Bay State's Motion no later than January 10, 2003. The Massachusetts Division of Energy Resources ("DOER") fully intends to respond to the Motion for Clarification but, for good cause, will be unable to file such response on January 10, 2003.

Therefore, in accordance with 220 CMR 1.04(5), DOER requests that the Department extend the time for DOER to file its response up through and including January 13, 2003.

DOER has prepared its preliminary response and concurs that the Department's Order requires clarification concerning the issues raised in Bay State's Motion for Clarification. Final preparation of the response has been

delayed because of a competing filing being prepared by DOER to the Federal Energy Regulatory Commission, which is also due on January 10, 2003. This delay has been further exacerbated by the recent loss of staff in the General Counsel's office, who would have otherwise been available to respond to these simultaneous deadlines.

DOER will request no further extensions beyond Monday, January 13, 2003 and no party to this action will be prejudiced by extending the time to respond by an additional business day.

Respectfully submitted,

Carol R. Wasserman
Deputy General Counsel
Massachusetts Division of Energy Resources

January 10, 2003